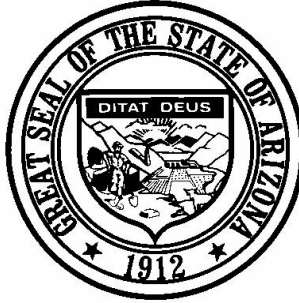


ARIZONA DEPARTMENT OF WEIGHTS AND MEASURES

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NEWS RELEASE

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Survey finds 67 percent compliance rate with state pricing laws

GLENDALÉ – The 6th annual survey has found a modest drop in the overall rate of compliance with state laws on price information during FY2006, according to data compiled by the Arizona Department of Weights and Measures.

The survey found that 67 percent of the pricing inspections conducted during FY2006 found the retailer to be in compliance. The results are based on 2,444 separate inspections of retailers around the state conducted between July 1, 2005 and June 30, 2006. It includes 1,331 price-posting inspections that determine whether the price is clearly marked on the shelves, and 1,113 Universal Product Code (price-scanner) inspections to see if the right price is charged at the checkout line. Previous surveys relied solely on UPC inspections to determine annual rankings.

This data include 172 inspections that were triggered by complaints from the public. The Department inspects every consumer complaint it receives.

Overall, the Department found a 64 percent compliance rate for Price-Posting Inspections, down from 65 percent in FY2005 and 70 percent for price scanners, down from 72 percent the previous fiscal year. The FY2005 overall compliance rate was 67.3 percent.

“We’re pleased that roughly seven out of every 10 inspections found the stores to be in compliance, but our goal for 2007 is to help retailers do an even better job,” said George Seitts, Director of the Department of Weights and Measures. “When companies provide clear information on their prices, consumers reap the benefits. We will continue to meet with retailers and their industry groups, and we will continue to offer training to retailers who are struggling to comply with state pricing law.”

The combined 2006 survey found two retailers, Ross Dress for Less and Costco Wholesale, which passed six or more inspections without a failure. Thirteen retailers failed at least one UPC or Price-Posting inspection but still qualified as one of the state’s top 15 retailers for pricing accuracy. These results are based on three years of inspections.

Separately, the results found 15 retailers with the lowest ratings on inspections conducted during FY2006. Six of these retailers failed 50 percent or more of their inspections. Three retailers, Walmart Stores Inc., Pep Boys Supercenter and AutoZone, were inspected and had repeated violations.

Retailers that fail an inspection are re-examined approximately one week later. If they fail this second inspection they face civil penalties, and they will be subject to an inspection every business day until they pass two consecutive inspections. If a civil penalty is imposed, the company can request an informal hearing with the Department. The Department offers a Corporate Education Program.

Attached are two charts showing the 15 retailers with the best compliance record, based on three years of data, and the 15 retailers who are most in need of improvement, based on a year of inspections.

A full listing of inspection data can be found on the Weights and Measures website, www.azdwm.gov.

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HIGHEST RATINGS: 3 Years of Inspection Data

Retailer Name	UPC (Price Scanning) Inspections					Price Posting Inspections				Overall Failure Rate	Total Civil Penalties
	Total	Passed	% Failed	# Items Over	\$ Price Over	Total	Passed	% Failed	PRC Errors		
ROSS DRESS FOR LESS	7	7	0%	0	\$0.00	7	7	0%	5	0%	-
COSTCO WHOLESALE	9	9	0%	0	\$0.00	9	9	0%	7	0%	-
BIG 5 SPORTING	13	12	8%	7	\$75.02	13	13	0%	5	4%	-
SMART AND FINAL	8	8	0%	3	\$1.36	8	7	13%	17	6%	-
BED BATH AND BEYOND	7	7	0%	3	\$19.50	7	6	14%	23	7%	-
J C PENNEY	9	8	11%	4	\$14.40	12	11	8%	22	10%	\$ 1,350
SAMS CLUB	11	11	0%	1	\$0.16	15	12	20%	50	10%	\$ 550
SALLY BEAUTY SUPPLY	10	8	20%	2	\$1.80	9	9	0%	5	10%	-
DILLARDS	11	9	18%	3	\$5.50	12	11	8%	21	13%	\$ 600
QUIKTRIP CORP	29	27	7%	6	\$1.54	46	36	22%	89	14%	\$ 1,750
FAMOUS FOOTWEAR	10	7	30%	5	\$18.00	6	6	0%	0	15%	\$ 100
LOWE'S	10	7	30%	4	\$4.12	9	9	0%	10	15%	\$ 100
GAP	9	6	33%	1	\$1.05	6	6	0%	1	17%	\$ 100
PIER 1 IMPORTS	20	13	35%	3	\$34.00	17	17	0%	4	18%	-
PAYLESS SHOE SOURCE	14	9	36%	1	\$2.00	13	13	0%	5	18%	-

MOST IN NEED OF IMPROVEMENT: 1 Year of Inspection Data

Retailer Name	UPC (Price Scanning) Inspections					Price Posting Inspections				Overall Failure Rate	Total Civil Penalties
	Total	Passed	% Failed	# Items Over	\$ Price Over	Total	Passed	% Failed	PRC Errors		
COMP USA	9	3	67%	15	\$147.00	11	3	73%	122	70%	\$ 10,600
PEP BOYS	35	14	60%	102	\$286.17	41	16	61%	511	60%	\$ 46,700
BEST BUY STORES L P	11	5	55%	22	\$166.19	14	6	57%	116	56%	\$ 12,800
TOYS R US	10	5	50%	28	\$149.46	10	4	60%	249	55%	\$ 15,450
CIRCUIT CITY	10	3	70%	25	\$166.99	10	6	40%	76	55%	\$ 5,600
HOME DEPOT	23	18	22%	27	\$54.09	46	10	78%	920	50%	\$ 80,650
FRYS ELECTRONICS	11	3	73%	25	\$286.29	5	4	20%	18	46%	\$ 5,250
TARGET CORPORATION	15	10	33%	17	\$61.64	28	12	57%	315	45%	\$ 25,200
CVS PHARMACY	20	9	55%	52	\$77.66	22	15	32%	110	43%	\$ 4,400
WALMART STORES INC	147	103	30%	179	\$559.17	228	99	57%	2739	43%	\$ 210,350
TRADER JOES	5	3	40%	5	\$5.46	7	4	43%	40	41%	\$ 800
K MART	21	15	29%	23	\$46.43	24	13	46%	227	37%	\$ 15,200
NAPA AUTO PARTS	12	6	50%	22	\$22.37	9	7	22%	26	36%	\$ 2,700
CIRCLE K STORES INC	36	28	22%	30	\$13.29	60	31	48%	480	35%	\$ 28,450
AUTOZONE	166	96	42%	370	\$799.07	109	81	26%	443	34%	\$ 41,150

Shopping Tips

1. **SPEAK UP PROMPTLY IF YOU SEE ANY ERRORS.** *Most retailers will be happy to correct the problem.*
2. **ASK TO SEE THE STORE'S WRITTEN PRICING ERROR POLICY.** *State law requires all retailers to have a written policy on UPC pricing errors.*
3. **WATCH THE REGISTER DISPLAY.** *Make sure the price you're charged is the same as the price that was posted.*
4. **BRING ADS WITH YOU WHEN YOU SHOP.** *Compare the advertised price against your sales receipt.*
5. **CHECK YOUR RECEIPT BEFORE YOU LEAVE THE STORE.**

If you have a complaint about pricing, contact the Department of Weights and Measures at 602-255-5211 or 1-800-277-6675, or visit the Department website, www.azdwm.gov, and fill out an online complaint form that is available in English or Spanish.